



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Receipt  
AM/10/18

Applicants: Lane W. Lee, Timothy R. Feldman, Douglas M. Rayburn and  
Gary G. Kiwimagi  
Assignee: DataPlay, Inc.  
Title: System and Method for Detecting Unauthorized Copying of Encrypted  
Data  
Serial No.: 09/940,174 Filing Date: August 27, 2001  
Examiner: Unknown Group Art Unit: Unknown  
Docket No.: M-12038 US

San Jose, California  
October 4, 2002

COMMISSIONER FOR PATENTS  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

**REQUEST FOR CORRECTED FILING RECEIPT**

Dear Sir:

Applicants hereby request the Commissioner For Patents to correct the Official Filing Receipt for the above-identified patent application as follows:

- ☒ 1. Correct the Filing Date
- ☐ 2. Correct Inventor Name
- ☐ 3. Correct Title
- ☐ 4. Correct information referencing related case
- ☐ 5. Correct Attorney Docket Number
- ☐ 6. Other: \_\_\_\_\_

This Request is submitted for the following reasons:

The above-mentioned patent application was filed on August 27, 2001 as shown by the USPTO mailroom stamp (Exhibit A). Attached as Exhibit B is a copy of the Notice of Omitted Item in a Provisional Application. Attached as Exhibit C is a Preliminary Amendment (with USPTO mailroom stamp date of November 26, 2001) amending the specification and showing that there were no omitted items at the time of filing. Attached as

LAW OFFICES OF  
SKJERVEN MORRILL LLP  
25 METRO DRIVE  
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(408) 433-9200  
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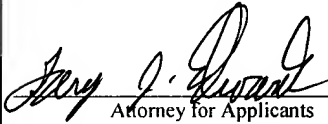
Exhibit D is a copy of the transmittal letter authorizing any fees required. Attached as Exhibit E is a copy of the Filing Receipt with the change noted in red.

Therefore, the application as filed on August 27, 2001 was complete and entitled to the August 27, 2001 filing date, and not the November 26, 2001 filing date of the preliminary amendment. In the preliminary amendment, it was pointed out that "no items were omitted in the nonprovisional application as filed."

Because this was not an error on the part of Applicants, Applicants believe no fee is required. However, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 19-2386.

If this action does not lead to issuance of a corrected Official Filing Receipt as requested, please contact the undersigned at (408) 453-9200, extension 1338.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, Office of Initial Patent Examination, Customer Service Center, Washington, D.C. 20231, on October 4, 2002.

  
Attorney for Applicants

10/4/02  
Date of Signature

Respectfully submitted,



Gary J. Edwards  
Attorney for Applicants  
Reg. No. 41,008

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08-28-01

A

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San Jose, CA

skjerven morrill  
macpherson LLP

Docket No.: M-12038 US

August 27, 2001

Box Patent Application  
Commissioner For Patents  
Washington, D. C. 20231

Enclosed herewith for filing is a patent application, as follows:

Inventor(s): Lane W. Lee, Timothy R. Feldman, Douglas M. Rayburn, Gary G. Kiwimagi

Title: System and Method for Detecting Unauthorized Copying of Encrypted Data

<u>X</u>	Return Receipt Postcard
<u>X</u>	This Transmittal Letter (in duplicate)
<u>113</u>	page(s) Specification (not including claims)
<u>5</u>	page(s) Claims
<u>1</u>	page Abstract
<u>52</u>	Sheet(s) of Drawings
<u>3</u>	page(s) Declaration For Patent Application and Power of Attorney
<u>1</u>	page(s) Recordation Form Cover Sheet (in duplicate)
<u>3</u>	page(s) Assignment

**CLAIMS AS FILED**

For	Number Filed		Number Extra		Rate		Basic Fee
Total Claims	23	-20 =	3	x	\$ 18.00	=	\$ 54.00
Independent Claims	4	-3 =	1	x	\$80	=	\$ 80.00
<input type="checkbox"/>	Fee of _____ for the first filing of one or more multiple dependent claims per application						\$
<input type="checkbox"/>	Fee for Request for Extension of Time						\$

Please make the following charges to Deposit Account 19-2386:

- ☒ Total fee for filing the patent application in the amount of \$ 844.00  
☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 19-2386.

EXPRESS MAIL LABEL NO:

EL563590109US

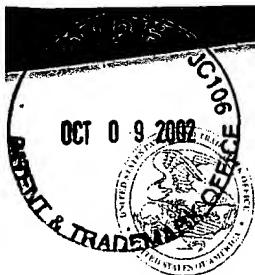
Respectfully submitted,

*Margaret M. Kelton*

Margaret M. Kelton  
Attorney for Applicant(s)  
Reg. No. 44,182



09/14/01 08/27/01



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/940,174	08/27/2001	Lane W. Lee	M-12038 US

CONFIRMATION NO. 5308

## FORMALITIES LETTER



\*OC000000006858892\*

Margaret M. Kelton  
SKJERVEN MORRILL MacPHERSON LLP  
25 Metro Drive, Suite 700  
San Jose, CA 95110-1349

Date Mailed: 10/05/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 21A & 21B described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*



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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lane W. Lee, Timothy R. Feldman, Douglas M. Rayburn, Gary G.  
Assignee: Kiwimagi  
DataPlay, Inc.  
Title: System and Method for Detecting Unauthorized Copying of Encrypted  
Data  
Serial No.: 09/940,174  
Examiner: Unknown  
Docket No.: M-12038 US  
Filing Date: August 27, 2001  
Group Art Unit: Unknown  
Client Ref. No.: DP158

San Jose, California  
November 26, 2001

BOX NON-FEE AMENDMENT  
U.S. Patent and Trademark Office  
COMMISSIONER FOR PATENTS  
P.O. Box 2327  
Arlington, VA 22202

PRELIMINARY AMENDMENT

RECEIVED  
NOV 30 2000  
Technology Center 2100

Dear Sir:

The following Amendments and Remarks are submitted for entry into the application filed on August 27, 2001, serial number 09/940,174. This Preliminary Amendment is submitted prior to the first Office Action on the merits in the above-captioned case. Entry of this amendment is respectfully requested.

AMENDMENTS

IN THE SPECIFICATION

Please replace the paragraph starting on page 8, line 21 with the following replacement paragraph.

Fig. 21 illustrates a Read Secure Metadata protocol according to an embodiment of the present invention.

Please delete the paragraph starting on page 8, lines 23 and 24.

In accordance with 37 CFR § 1.121(b)(1)(iii), the attachment entitled "Version with Markings to Show Changes Made" contains a marked up version of the replacement paragraph illustrating the newly introduced change in the specification.

Serial No. 09/940,174

-1-

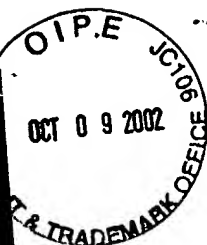
823079 v1 / PF-OA [Rev. 000913]

EXHIBIT C

BEST AVAILABLE COPY

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MACPHERSON LLP

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### REMARKS

The above-identified application is United States application serial number 09/940,174 filed on August 27, 2001. This paper is a preliminary amendment to remove unnecessary language from the specification, i.e., in the Brief Description of the Drawings. No amendments to the figures are necessary because the Brief Description of the Drawings erroneously references figures 21A and 21B. The Specification has been amended to delete the references and refer only to Fig. 21 as filed and referred to the Detailed Description. No new matter has been added thereby and no items were omitted in the nonprovisional application as filed. Fig. 21 was filed with the nonprovisional application.

Please contact the undersigned at (512) 794-3600 if you have any questions.

EXPRESS MAIL LABEL NO:

EV 044276888 US

Respectfully submitted,

*Margaret M. Kelton*

Margaret M. Kelton  
Attorney for Applicant(s)  
Reg. No. 44,182

Version with Markings to Show Changes Made

IN THE SPECIFICATION

The paragraph starting on page 8, line 21 is amended as follows.

Fig. 21[A] illustrates a Read Secure Metadata protocol according to an embodiment of the present invention.

Please delete the paragraph starting on page 8, lines 23 and 24.